



Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number:
P.C.: 7/28/03 Item: 3.b

File Number:
GP03-03-09

Council District and SNI Area:
3 – Delmas Park

Major Thoroughfares Map Number:
83

Assessor's Parcel Number(s):
Various

Project Manager: Patrice Shaffer

GENERAL PLAN REPORT

2003 Summer Hearing

PROJECT DESCRIPTION:

General Plan Amendment request to change the Land Use/Transportation Diagram designation from Residential Support for the Core Area (25+ DU/AC) to Medium Density Residential (8-16 DU/AC).

LOCATION: The area generally bounded by Park Avenue to the south, West San Fernando Street to the north, Los Gatos Creek to the west, and Delmas Avenue and Route 87 to the east.

ACREAGE: 6.59

APPLICANT/OWNER:

Staff / Various

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Residential Support for the Core Area (25+ DU/AC)

Proposed Designation: Medium Density Residential (8-16 DU/AC)

EXISTING ZONING DISTRICT(S): LI-Light Industrial

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: San Jose Water Company offices and parking lots – General Commercial and Residential Support for the Core Area (25+ DU/AC)

South: Auto repair and sales, commercial retail and offices, single-family and multi-family residential – Residential Support for the Core Area (25+ DU/AC) and General Commercial

East: Parkside Condominiums and State Route 87 – Residential Support for the Core Area (25+ DU/AC)

West: Commercial retail and offices, florist warehouse, and meat production – General Commercial

ENVIRONMENTAL REVIEW STATUS:

Negative Declaration adopted on June 26, 2003.

PLANNING STAFF RECOMMENDATION:

Medium Density Residential (8-16 DU/AC)

Approved by:

Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Airport Department – The site is located within the projected Airport 65 CNEL noise impact area and within the Airport Land Use Commission (ALUC) referral area. Subsequent development proposals should be referred to the ALUC, address noise attenuation for residential structures, and dedicate appropriate aviation easements.
- Santa Clara Valley Water District – The site is located in Zone D, which is an area of undetermined but possible inundation during the 100-year flood event. The District recommends that the first floor elevation for any buildings be a minimum of 2 feet above existing ground. Also it is recommended that adequate setbacks from Los Gatos Creek be incorporated into subsequent development plans. Future development will be required to conform to the requirements of the National Pollutant Discharge Elimination System (NPDES) Permit to reduce impacts on storm water quality. A Storm Water Pollution Prevention Plan (SWPPP) will be required at the time of future development, in compliance with State regulations, to control the discharge of storm water pollutants.
- Department of Public Works – The site is located in Flood Zone D and in the State Liquefaction Zone. Also, street dedication may be required along W. San Fernando Street.

GENERAL CORRESPONDENCE:

- Letter received from the Delmas Park Neighborhood Advisory Committee dated July 3, 2003 (attached).
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ANALYSIS AND RECOMMENDATIONS:**PROJECT DESCRIPTION**

This is a staff-initiated General Plan amendment to the *San Jose 2020 General Plan* Land Use/Transportation Diagram designation from Residential Support for the Core Area (25+ DU/AC) to Medium Density Residential (8-16 DU/AC) on approximately 6.59 acres (see Map 1). The site is generally bounded by Park Avenue to the south, West San Fernando Street to the north, Los Gatos Creek to the west, and Delmas Avenue and State Route 87 to the east. The amendment area includes the potentially historically significant Lakehouse district located generally between West San Fernando Street to the north, State Route 87 to the east, Lakehouse Street to the south and Los Gatos Creek to the west. The City is initiating the General Plan land use amendment in order to implement the Number 3 “Top Ten” priority action item in the Strong Neighborhoods Initiative (SNI) *Delmas Park Neighborhood Improvement Plan*, approved by the City Council. The amendment is intended to reflect the existing residential character of the neighborhood and also to allow some flexibility for redevelopment of sites currently occupied by non-residential uses.

The existing Residential Support for the Core Area (25+ DU/AC) land use designation is intended for high-density residential use in and near the Downtown Core area (see Map 2). This designation permits development with commercial uses on the first two floors, with residential uses on upper floors, as well as wholly residential projects. Development within this category is intended to expand the potential for



Well-maintained Victorians in the Lakehouse area

residential development in close proximity to central area jobs, and to create new consumer markets in the Downtown area.

The proposed Medium Density Residential (8-16 DU/AC) land use designation is generally typified by patio homes, townhomes and duplexes. In older San Jose neighborhoods, such as this one, the Medium Density Residential (8-16 DU/AC) designation is frequently applied to blocks which were originally single-family detached residences but have evolved over the years to a mixture of single-family and small multi-family and duplex residences, many of them converted and/or expanded single family structures (see Map 3). Since the Land Use/Transportation Diagram designates density rather than housing types, the proposed designation would continue to allow a mixture of single-family, two-family and multi-family units, subject to overall density limits.

BACKGROUND

Delmas Park SNI Area

The site is located within the Delmas Park SNI area, one of 20 San Jose neighborhoods committed to improving their community in partnership with the City, Redevelopment Agency and through public-private investment efforts. The Delmas Park area is generally bounded by West Santa Clara Street to the north, Los Gatos Creek and Bird Avenue to the west, Interstate 280 to the south, and State Route 87 to the east (see Map 4).

The *Delmas Park Neighborhood Improvement Plan* identifies a comprehensive strategy to improve the living environment for current and future residents. An identified goal of the *Plan* is neighborhood revitalization. One of the *Plan's* "Top Ten" action items (item number 3) states that the General Plan should be amended to represent the community's preferred land uses. In the Delmas Park area, there are substantial inconsistencies among existing uses, General Plan designations, zoning districts and community objectives for land uses. Currently, most of Delmas Park has a General Plan designation of Residential Support for the Core Area, a high-density designation that requires a minimum density of 25 units per acre and has no upper limit. Community objectives in the SNI Plan include long term protection of the existing "single-family" residential neighborhood pockets and redevelopment of the remainder of the area, including many industrial and auto repair properties, to new high and very high density housing, neighborhood commercial and mixed uses.

A key neighborhood concern is preservation of existing single and low-density residential areas. There are two distinct “single-family” residential areas in Delmas Park, one north of Park Avenue and the other south of West San Carlos Street.

The northern residential area is composed of single-family homes, single-family to multi-family conversions, some industrial/commercial businesses and the Parkside condominium development. This General Plan amendment addresses the northern residential blocks that are intended for preservation. A next step would be to rezone these properties to conform with their residential General Plan designations.

The southern residential area is comprised mainly of single-family homes. While most auto-related and industrial uses are located along West San Carlos Street, it is not unusual to find auto body shops interspersed in the residential area, especially in the southern portion of the neighborhood. A separate General Plan amendment (GP 03-03-10) has been initiated concurrently by the City to address the southern area (see Map 3).

Past General Plan Amendment

In 1979, the City Council approved a General Plan amendment for the subject site from Combined Industrial/Commercial to Residential Support for the Core Area (25+ DU/AC). The primary intent of the City Council initiated amendment was to redevelop an area with excellent potential for high-density residential development to support and strengthen the Downtown Core Area. However, since the amendment in 1979, none of the proposed amendment area has been redeveloped as high density residential, nor has there been any apparent interest. The only higher density residential that has occurred in the Delmas Park area are the Parkside Condominiums and the Village at Museum Park developments adjacent to the amendment area. In addition, the City Council recently approved a Planned Development Zoning for an eight-story affordable apartment development with ground floor commercial for the southeast corner of West San Carlos Street and Bird Avenue.



City Landmark Irene Dalis House

Site and Surrounding Uses

The subject site is 6.59 acres and is surrounded by a variety of uses including single-family residences, duplexes, multi-family residential, and a mix of industrial and commercial uses including a print shop, an auto repair shop and a flower store. A church and an infill mixed-use project (Museum Park) are located to the south. The Parkside Condominiums complex and State Route 87 are to the east of the subject area, Los Gatos Creek and commercial/industrial uses are located to the west, and San Jose Water Company office building and surface parking lots are to the north. Existing uses on the subject site include a mixture of single-family, duplexes, and multi-family residences. There are also a few parcels that have industrial and/or commercial uses, such as outdoor storage, a corner market, and auto repair.

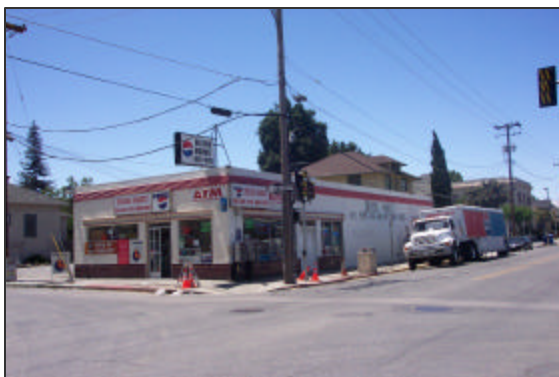
The General Plan land use designations surrounding the site are largely Residential Support for the Core Area (25+ DU/AC). Additional designations include some General Commercial to the south, west and north. Park Avenue, the amendment area's southern boundary, is identified as an Arterial (90 feet) street on the

Land Use/Transportation Diagram; it connects the amendment area with the Downtown Core Area to the east and the Midtown/Diridon area to the west.

The existing zoning for the site is Light Industrial and has been zoned as such since the 1930's. Surrounding zoning is Light Industrial, Heavy Industrial and Neighborhood Commercial to the north and Light Industrial and A(PD) Planned Development (Museum Park) to the south. The zoning designation to the west is Light Industrial, and A(PD) Planned Development (Parkside Condominiums) to the east.



Village at Museum Park (between Park Avenue and West San Carlos Street): Residential development at 35 DU/AC consisting of 117 multi-family residential units including live-work spaces.



Market adjacent to residential

ANALYSIS

Land Use Compatibility

The proposed change to the Land Use/Transportation Diagram from Residential Support for the Core Area (25+ DU/AC) to Medium Density Residential (8-16 DU/AC) is compatible with the surrounding land uses and consistent with the intent of the *Delmas Park Neighborhood Improvement Plan* approved by the City Council on April 16, 2002. Most of the existing uses in the amendment area already conform to the proposed Medium Density Residential (8-16 DU/AC) designation, which would encourage preservation of the lower density residences.

Existing nonresidential uses would be allowed to remain, but any new development proposed in the subject area would have to conform to the General Plan designation and would require rezoning. It should also be noted that non-residential properties in the amendment area have not been consistent with the General Plan since 1979 and this amendment would not change that condition.

If Council approves the requested General Plan change, then a later action could be the consideration of an area-wide rezoning to R-2 Two-Family Residence for the 6.59-acre site, which would reflect the General Plan designation. The R-2 Two-Family Residence District would also reflect the existing character of the amendment area, as well as provide appropriate development standards for new development. Any parcels legally developed as industrial and/or commercial uses would become legal nonconforming and would be allowed to remain. The expansion or change of any legal nonconforming uses would be subject to the provisions of Title 20 of the Municipal Code.

While staff is supportive of the amendment there are some challenges. Both the *Delmas Park Neighborhood Improvement Plan* and the slightly overlapping *Diridon/Arena Strategic Development Plan*, prepared by the San Jose Redevelopment Agency, include significant higher intensity development adjacent to and near this amendment area. The *Diridon/Arena Strategic Development Plan* reinforces the adopted *Midtown Specific Plan* by including such concepts as: 1) an integrated inter-modal transportation hub at Diridon Station; 2)

mixed-use development; 3) appropriate parking so that parking and traffic do not overwhelm the area; and 4) neighborhood preservation to reduce future development impacts on the adjacent Delmas Park Strong Neighborhoods Initiative (SNI) area.

The *Delmas Park Plan* calls for higher density residential and mixed uses along Park Avenue and north of San Fernando Street. One prime development site for high density residential is located adjacent to single-family houses at the intersection of Park Avenue and Gifford Street. Neighborhood design compatibility and interface issues would need to be addressed at the time of future development. Also, higher density/mixed use is desired by the community on West San Carlos Street as reflected in the *Delmas Park SNI Plan*, consistent with the General Plan. Any future redevelopment identified in the *Diridon/Arena Strategic Development Plan* and the *Delmas Park Plan* would require sensitivity to surrounding properties to ensure the protection of the “single-family” residential blocks as desired by the community.

Consistency with the General Plan

The proposed reduction in residential density on approximately 6.59 acres from Residential Support for the Core Area (25+ DU/AC) to Medium Density Residential (8–16 DU/AC) would result in a loss of housing potential on these properties. The General Plan residential density methodology establishes projected densities for analytical purposes in Residential Support for the Core Area as 55 DU/AC and Medium Density Residential as 10.8 DU/AC. Using these factors, a potential loss of approximately 243 dwelling units could result from the proposed amendment. To put this figure in context, the residential holding capacity of the General Plan is presently approximately 48,000 dwelling units.

While a reduction in residential development capacity is proposed on the subject area, there are significant areas of future high density and mixed-use development in close proximity. The Downtown Core Area directly east of the amendment site continues to see projects of this nature come to fruition. In the past 5 years, 1,968 dwelling units have been constructed. The *Downtown Strategy Plan* envisions 8,000 to 10,000 more units in the greater Downtown area. In addition, the *Midtown Specific Plan* and the *Diridon Station Plan* areas are located directly west of the amendment site. Plans for both of these areas envision a range of uses including high-density residential and mixed-use development in proximity to the Cahill/Diridon Multi-Modal transit station. Furthermore, approximately 20.5 acres in the Delmas Park SNI area, located between the two amendment areas (GP03-03-09 and GP03-03-10), remain designated as Residential Support for the Core Area (25+ DU/AC) and General Commercial, providing opportunity for high-density residential and mixed-use development within the neighborhood. The *Delmas Park Neighborhood Improvement Plan* supports this opportunity and even allows for increased heights (see Exhibit A).

The proposed amendment is consistent with a number of Major Strategies, goals and objectives in the *San Jose 2020 General Plan* including urban conservation, balanced community, and residential land use.

- Urban Conservation/Preservation, one of the seven Major Strategies of the General Plan, promotes improving the quality of life and creating a stable, mature community. The General Plan amendment would support this Strategy by preserving an already existing and mature community while stabilizing the area by minimizing the types and densities of uses. The subject area has not redeveloped into a high density residential neighborhood as was originally intended by the 1979 General Plan amendment to Residential Support for the Core Area (25+ DU/AC). One recent higher density residential development has been constructed along West San Carlos Street. Single-family house improvements in the area have occurred and include new paint, landscaping and restoration of some homes in the potentially historically significant Lakehouse district.

- Downtown Revitalization is another one of the Major Strategies of the General Plan. This Strategy recognizes the significance of a vital Downtown to the City's long-term economic and social well-being. General Plan goals and policies support the revitalization of the City's core area, as well as the revitalization of neighborhoods surrounding the Downtown in order to counter years of deterioration and economic decline and ultimately strengthen the heart of San Jose. In the late 1970s and early 1980s, the City used a broad-brush approach to increase density around the Downtown to support the revitalization effort by designating hundreds of acres as Residential Support for the Core Area (25+ DU/AC). This action did not take neighborhood preservation into account. While the higher density designation makes sense in many areas in close proximity to the Downtown, there is a need to balance neighborhood preservation with higher intensity development. This is the case in the Delmas Park SNI area. While reducing the unit potential in this area, the amendment would result in a more stable neighborhood, and preserve a potentially historic district that is compatible with its surroundings. The community has indicated in the *Delmas Park Neighborhood Improvement Plan* that it would support increased densities in the immediate area.
- The major objective of the General Plan's Housing Strategy is to provide a wide variety of housing opportunities to meet the needs of all the economic segments of the community. Thus, residential land uses and densities have been planned for appropriate locations within the City. While the Strategy seeks to maximize housing opportunities on infill parcels, it also promotes the preservation and expansion of the existing supply of affordable housing. According to the 2000 Census, approximately 82% of the housing units in the Delmas Park SNI area are renter-occupied. The proposed amendment would preserve a large percentage of this rental housing stock.
- The General Plan's Balanced Community goal states that a balanced and complete community should be developed in terms of land use distribution and densities, housing types and styles, economic development and job opportunities, and opportunities for social and cultural expression. The proposed General Plan amendment supports varied residential densities, housing types and styles in the Delmas Park area.
- Residential Land Use Policy #2 states that residential neighborhoods should be protected from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment. This General Plan amendment promotes the protection of existing residential uses in the Delmas Park area. The proposed residential land use would benefit the community by reinforcing the predominantly single-family and low-density residential character of the existing neighborhood.
- Residential Land Use Policy #9 states that when changes in residential densities are proposed, the City should consider a number of different factors including neighborhood character and identity, compatibility of land uses and impacts on livability, impacts on services and facilities, including schools to the extent permitted by law, accessibility to transit facilities, and impacts on traffic levels on both neighborhood streets and major thoroughfares. The proposed amendment would protect the existing neighborhood character and identity, and would be compatible with existing and/or proposed higher density residential development.
- The General Plan Community and Neighborhood Identity goals address the enhancement of community and neighborhood identities. Both goals also include policies that encourage neighborhood groups' input to the decision-making process in City government. The Delmas Park

SNI process enabled this community input. The *Delmas Park Neighborhood Improvement Plan* process began in February 2001 with the first Neighborhood Advisory Committee (NAC) meeting. The NAC is composed of community members who represent resident, property owner, business and institutional interests. After an approximately year long process, including 12 NAC meetings and 2 community planning workshops, the Delmas Park plan was approved by the City Council in April 2002. The NAC process resulted in the vision and goals as documented in the *Plan*. The community envisions a neighborhood that will be “more pedestrian and transit-oriented, with community-focused commercial corridors, and well-lit, tree-lined streets. Existing residential areas will be protected and enhanced.” The community also supports sensitive infill development that will increase the diversity of the resident population and provided varied housing opportunities. During the planning process the Delmas Park Neighborhood Association was formed, demonstrating the community’s interest in creating identity and working together.

Environmental Issues

The amendment area is currently developed but should redevelopment occur then the following environmental issues must be addressed.

- Sun/Shade – Because of the proposed lower density residential designation, and corresponding lower building heights, new development is not apt to raise sun/shade issues. But, if it does, those issues would be mitigated through a number of design and land use General Plan policies.
- Riparian Corridor – Any effects on the Los Gatos Creek riparian corridor would be mitigated through the riparian corridors and upland wetlands policies in the General Plan.
- Liquefaction – The site is located in a State Liquefaction Zone. Future development on the site would be required to conform to General Plan hazards, earthquake, soils and geologic policies.
- Flood Zone – The project site is also located in the 100-year flood zone. General Plan flood policies and Municipal Code sections would apply to any new development.
- Land Use Interface – Another issue is the appropriate interface between high density and low-density residential development which would be addressed through urban design and residential land use policies in the General Plan.
- Noise – The project site is located near State Route 87, the future Vasona Corridor light rail line, and the San Jose International Airport. Future development could be exposed to noise in excess of General Plan noise guidelines. Development on the site would be required to conform to the applicable San Jose 2020 General Plan noise and transportation policies.

PUBLIC OUTREACH

Public outreach for this amendment has been unusually intensive and varied. The property owners and occupants within a 1000-foot radius were sent a newsletter regarding the General Plan community meeting that was held on June 24, 2003. They also received a notice of the public hearings to be held on the subject amendment before the Planning Commission on July 28 and City Council on August 19, 2003. In addition,

the Department's web-site contains information regarding the General Plan process, amendments, staff reports, and hearing schedule. This site is used by the community to keep informed of the status of the amendments.

SNI Outreach

The proposed amendment was discussed with the Delmas Park Neighborhood Advisory Committee (NAC) and other community members at their regular monthly meetings on March 4 and May 5, 2003. A meeting for property owners within the amendment site was held on March 27, 2003. An additional community meeting was held on April 30, 2003 for property owners and occupants within a 1000-foot radius of the amendment site.

During the community meetings, community stakeholders expressed concern with the following issues:

- The change in land use designation would adversely affect their property values.
- There may be design interface issues between low-rise residential development within the amendment area and planned adjacent high rise development.
- There is a concern that a few community members (SNI participants) determined the future of the neighborhood without other stakeholder input.
- There was some confusion as to whether the City was actually proposing to purchase property instead of changing the General Plan land use designation.
- There was a concern regarding the effect of this General Plan amendment on the existing Light Industrial zoning designation and whether some businesses might be forced out of the neighborhood.
- There were also questions regarding the potential widening of Auzerais Avenue and the possible effects of the General Plan amendments on any historic houses in the area.

Planning staff addressed all of the aforementioned issues in an information sheet that was distributed at the April 30, 2003 community meeting (see Exhibit B). The Delmas Park NAC is in full support of the proposed amendment.

COORDINATION

Staff has coordinated the proposed General Plan amendment with the San Jose Redevelopment Agency (RDA) and the Department of Parks, Recreation and Neighborhood Services (PRNS) in addition to other City departments. RDA and PRNS are the team leaders for the second phase of the SNI process, and are responsible for oversight and coordination of action item implementation. This amendment would implement "Top Ten" priority action item Number 3 of the *Delmas Park Neighborhood Improvement Plan*.

RECOMMENDATION

Planning staff recommends Medium Density Residential (8-16 DU/AC) on 6.59 acres.

Attachment